

PRELIMINARY AMENDMENT

New U.S. Patent Application to Hironori YAMAMOTO et al.

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (original): A negative electrode for a secondary battery capable of occluding and releasing lithium ion, including at least one layer comprising alloy or complex oxide containing metal forming alloy with lithium or lithium and metal not-forming alloy with lithium.

2. (original): A negative electrode for a secondary battery capable of occluding and releasing lithium ion, having a layer comprising alloy or complex oxide containing metal forming alloy with lithium and metal not-forming alloy with lithium.

3. (original): A negative electrode for a secondary battery as claimed in claim 1 or 2, wherein metal forming alloy with the lithium contains at least one metal selected from a group consisting of Si, Ge, Sn, Al, Pb, Pd, Ag, In and Cd.

4. (currently amended): A negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 3~~claim 1 or 2, wherein metal not-forming alloy with the lithium contains at least one metal selected from group consisting of Cu, Fe, B, Ni, Ti, Ta, W, Cr and Co.

PRELIMINARY AMENDMENT

New U.S. Patent Application to Hironori YAMAMOTO et al.

5. (currently amended): A negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 4~~claim 1 or 2, further containing a layer comprising a lithium occlusion material.

6. (original): A negative electrode for a secondary battery as claimed in claim 5, wherein a layer comprising the lithium occlusion material is a carbon-based layer.

7. (currently amended): A negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 6~~claim 1 or 2, wherein a layer comprising the alloy or complex oxide is formed through a sputtering technique, a CVD technique, a vapor deposition technique, or a plating technique.

8. (currently amended): A negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 7~~claim 1 or 2, wherein a layer comprising the alloy or complete oxide has an amorphous structure.

9. (currently amended): A negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 8~~claim 1 or 2, further comprising a lithium metal layer.

10. (currently amended): A secondary battery provided with a negative electrode for a secondary battery as claimed in ~~any one of claims 1 to 9~~claim 1 or 2, a positive electrode capable

PRELIMINARY AMENDMENT

New U.S. Patent Application to Hironori YAMAMOTO et al.

of occluding and releasing lithium ion, an electrolyte arranged between the negative electrode and the positive electrode